

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:)
)
COMMUNITY BANK OF NORTHERN) Civil Action No. 03-425
VIRGINIA AND GUARANTY BANK)
SECOND MORTGAGE LITIGATION)

ORDER OF COURT

AND NOW this 18th day of March, 2008, upon consideration of the Settling Parties' Revised Joint Plan of Class Action Settlement Notice, [Doc. No. 297], ("Revised Joint Plan") and the comments thereto, IT IS HEREBY ORDERED THAT:

- (1) The Notice Plan, Class Mail Notice and Publication Notice, [Doc. 297 Exhibits 1, 2, and 3], satisfy the requirements of Fed.R.Civ.P. 23(e).
- (2) Tilghman & Co. is appointed Settlement Administrator.
- (3) A hearing shall be held in Courtroom 3A, Third Floor, United States Courthouse, Grant Street, Pittsburgh, PA on June 30, 2008, at 9:30 a.m. to consider whether the settlement should be given final approval.
 - (a) Objections by class members to the proposed settlement will be considered if filed in writing with the Clerk on or before June 17,

2008.

- (b) Any class member who wishes to opt-out of the proposed settlement must file a notice with the Clerk on or before June 17, 2008.
 - (c) Class members who are represented by an attorney may have their objection or request for exclusion filed by their attorney provided that the attorney includes a power of attorney signed by the class member.
 - (d) At the hearing, class members may be heard orally in support of or in opposition to the settlement, provided such persons file with the Clerk by June 23, 2008, a written notification that they wish to appear personally, indicating briefly the nature of the objection.
 - (e) Counsel for the class and counsel for the defendants should be prepared at the hearing to respond to objections filed by such class members and to provide other information, as appropriate, bearing on whether or not the settlement should be approved.
- (4) Notice
- (a) The Settlement Administrator shall as soon as practicable but in no event later than April

1, 2008, cause to be mailed in the name of the Clerk the notice proposed in the Revised Joint Plan, [Doc. No. 297, Ex. 2], pursuant to the procedure set forth in the Notice Plan, [Doc. No. 297, Ex. 1].

- (b) The Settlement Administrator shall thereafter cause to be published the publication notice proposed in the Revised Joint Plan, [Doc. No. 297, Ex. 3] in two (2) weekday (Monday through Thursday) national editions of USA Today during the week of April 13, 2008, in a posting no smaller than three (3) column inches in width and five (5) column inches in height.
- (5) Class counsel will file with the Clerk by June 23, 2008, an affidavit identifying the persons to whom notice has been mailed and who have not timely requested exclusion.

BY THE COURT:


G. L. Lancaster, J.

cc: All Counsel of Record